

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Gettysburg School District
Accountability Review - Monitoring Report 2011-2012

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Dates of On Site Visit: March 8, 2011

Date of Report: May 7, 2012

All non-compliance must be corrected within 1 year of this report date. Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION

ARSD 24:05:17:03. Annual report of children served. In its annual report of children served, the department shall indicate the number of children with disabilities receiving special education and related services on December 1 of that school year;

ARSD 24:05:22:03. Certified child. A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

Corrective Action:

Prong 1: District needs to correct each individual case of noncompliance.		
Through a review of student records, the monitoring team determined that five students reported on child count under the category of 550 did not have an active IEP in place on December 1.		
Student:	Required Action:	Data to be Submitted:
Students #1, 4, 5, 6, 7	The district must review records and implement a current IEP for each student listed.	The following documentation must be submitted: 1. Cover page of the IEP for students 1, 4, 5, 6, 7

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.
Required Action: The district must review its current policies and procedures for submitting and verifying the accuracy of Child Count.
Data To Be Submitted: 1)Copy of December 2012 Child Count 2)Cover page of the IEP for all students reported on 2012 Child Count

Timeline for Completion: Submit documentation within one year of this report date to the team leader.

Date:

Status Report:

2. GENERAL SUPERVISION

ARSD 24:05:25:06. Reevaluations. A school district shall ensure that a reevaluation of each child with a disability is conducted in accordance with this chapter if the school district determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parents or teacher requests a reevaluation. A reevaluation conducted under this section may occur not more than once a year, unless the parent and district agree otherwise, and must occur at least once every three years, unless the parent and the district agree that a reevaluation is unnecessary.

Each school district shall follow the procedures under § 24:05:25:04.02 when reevaluating a student for the additional purposes of:

- (1) Determining whether the child continues to have a disability and determining the educational needs of the child;
- (2) Determining the present levels of academic achievement and related developmental needs of the child;
- (3) Determining whether the child continues to need special education and related services; and
- (4) Determining whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general education curriculum.

Corrective Action:

Prong 1: District needs to correct each individual case of noncompliance.

Through a review of student records, the monitoring team determined that the three-year timeline for reevaluation had passed without any evaluations being conducted for three students.

Student:	Required Action:	Data to be Submitted:
Students #1, 6, 7	The district must initiate reevaluation procedures to review existing data and determine what evaluation data is needed to support the suspected disability category. Prior notice/consent and parent input into the evaluation must be documented. The evaluation process must be completed within 25 school days unless other timelines are agreed upon. Upon completion of the evaluation process, an IEP team meeting will be scheduled using meeting notice procedures. The IEP will meet to review the evaluation results, make eligibility decisions, and complete the eligibility determination document.	The following documentation must be submitted for students 1, 6, 7: <ol style="list-style-type: none">1. Prior notice/consent for evaluation2. Copies of all evaluation reports3. Prior notice for eligibility determination meeting4. Determination of eligibility/MDT document

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:

The district must review and revise current policy, procedure and practice to ensure that reevaluations for all students on an IEP are addressed within the three-year reevaluation requirement timeline.

Data To Be Submitted:

The speech-language pathologist must submit documentation from a student whose three-year reevaluation date has occurred since the date of the on-site review. Documentation should include: prior notice/consent for evaluation, copies of all evaluation reports, prior notice for eligibility determination meeting, determination of eligibility/MDT document, and IEP, if determined eligible.

Timeline for Completion: Submit documentation within one year of this report date to the team leader.

Date:

Status Report:

3. GENERAL SUPERVISION

ARSD 24:05:27:08. Yearly review and revision of individual educational programs. Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose annually. The review shall be conducted to determine whether the annual goals for the student are being achieved. The individualized education program shall be revised, as appropriate, to address: any lack of expected progress toward the annual goals and in the general curriculum, if appropriate; the results of any reevaluation conducted; information about the student provided to, or by, the parents; the student's anticipated needs; or other matters.

Corrective Action:

Prong 1: District needs to correct each individual case of noncompliance.

Through interview and a review of student records, the monitoring team noted that an IEP team meeting was not held to review and, as appropriate, revise the IEP of seven students on an annual basis.

Student:	Required Action:	Data to be Submitted:
Students # 1, 2, 3, 4, 5, 6, 7	The district must schedule and conduct an IEP team meeting to review and, as appropriate, revise the IEP of each student listed.	The following documentation must be submitted: <ol style="list-style-type: none"> 1. Prior notice for IEP team meeting 2. Copy of current IEP

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:

The district must review and revise current policy, procedure and practice to ensure that an IEP team meeting occurs at least annually for each student receiving special education services.

Data To Be Submitted:

The speech-language pathologist must submit the previous IEP and current IEP for one student whose annual review meeting has occurred since the date of the on-site visit.

Timeline for Completion: Submit documentation within one year of this report date to the team leader.

Date:

Status Report:

4. GENERAL SUPERVISION

24:05:24.01:01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing loss, cognitive disability, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or vision loss, including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered special education, the student is a student with a disability under this article.

ARSD 24:05:24.01:13. Orthopedic impairment defined. Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

There must be evidence of the following:

- (1) That the student's impaired motor functioning significantly interferes with educational performance;
- (2) That the student exhibits deficits in muscular or neuromuscular functioning that significantly limit the student's ability to move about, sit, or manipulate materials required for learning;
- (3) That the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and
- (4) That current medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

ARSD 24:05:23:06. Medical evaluator. A medical evaluator must be licensed to practice medicine or osteopathy by the State Board of Medical and Osteopathic Examiners.

Corrective Action:**Prong 1: District needs to correct each individual case of noncompliance.**

Through a review of student records, the monitoring team identified one student who had transferred to the district from another school within the State in the category of orthopedic impairment for whom the evaluation medical data was not provided by a qualified medical evaluator. In addition, evidence from the report and the IEP does not support significant interference with educational performance that resulted in a need for a specially designed program in order for the student to receive a free and appropriate public education

Student:

Required Action:

Data to be Submitted:

Student # 14	The IEP team must conduct a review of existing data to determine which additional evaluations, if any, are necessary to provide evidence of the student's current level of educational performance. The team must then meet to determine if the student meets eligibility criteria as a student with a disability in need of special education services.	The following documentation must be submitted: <ol style="list-style-type: none"> 1. Prior notice/consent for evaluation 2. Copies of all evaluation reports, if any new evaluations are conducted 3. Prior notice for eligibility determination meeting 4. Determination of eligibility/MDT document 5. Any other documentation resulting from the review of current eligibility.
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Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:

The district must review and revise current policy, procedure and practice to ensure that the files of students transferring into the district are reviewed to determine if adequate evidence exists to support eligibility and the need for an individually designed educational plan.

Data To Be Submitted:

The district must submit the copy of all evaluation reports, determination of eligibility/MDT document, and IEP of one transfer student. In addition, the district must submit documentation to show the actions of the district based on review of the student file. (As appropriate: prior notice to indicate acceptance of the current evaluation and IEP; OR consent for additional evaluation, copies of all evaluation reports, determination of eligibility/MDT document.)

Target Date for Completion: Submit documentation within one year of this report date to the team leader.

Date:

Status Report:

STATE PERFORMANCE PLAN –PERFORMANCE INDICATORS

Indicator 3 – Participation/Performance on Assessment

C-Proficiency rate for children with IEP's against grade level standards and alternate achievement standards.

District Policy, Procedure and Practice:

The District's proficiency rate was 46.15% compared to the State target of 69%. The Gettysburg School District is beginning to use the IEPq to help prioritize annual goals and align them with the State standards to ensure students are working at their individual level but also on skills specific to their grade level. The district hopes this practice leads to an increase in students' standards-based achievement.

Indicator 5 – Placement of Children Age 6-21

Percent of children with IEPs aged 6 through 21:

A. inside the regular class 80% or more of the day inside the regular class 80% or more of the day;

District Policy, Procedure and Practice:

The District's rate was 84.62% in comparison to the State target of 65%. The district has a practice of providing students with the supports, modifications and/or accommodations needed to help each child be successful in their least restrictive environment and the district does not reject an environment that is less restrictive unless that environment has already been tried and evidence exists to support a conclusion that it is not successful for the child.